

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

CHARLES E PASCHAL,

Petitioner,

v.

RON HAYNES,

## Respondent.

Case No. C20-5318 BHS-TLF

## ORDER GRANTING STAY

In April of 2020, petitioner filed a habeas corpus petition in this court. Dkt. 4.

12 Petitioner now moves to stay petitioner's federal habeas petition pending the outcome  
13 of petitioner's "claims still pending in the state courts." Dkt. 5.

14 This Court has discretion to stay a petition to allow a petitioner to return to state  
15 court to present his claims. See *Rhines v. Weber*, 544 U.S. 269, 274-79 (2005). Once  
16 petitioner exhausts his state remedies, the federal court will lift the stay and allow the  
17 petitioner to proceed on exhausted claims. *Id.*, at 275-76.

18 Accordingly, the Court **GRANTS** petitioner's motion (Dkt. 5) to stay and abey  
19 federal habeas proceedings pending resolution of petitioner's state claims, and

## ORDERS:

1. This matter is **stayed and abeyed** until 30 days after petitioner has exhausted his habeas claims before the Washington State Courts.

2. Petitioner shall **notify the Court within 30 days** after the Washington State Courts have ruled on petitioner's state habeas claims.

Dated this 28th day of October, 2020.

Theresa L. Fruke

Theresa L. Fricke  
United States Magistrate Judge